

SECOND REGULAR SESSION

HOUSE BILL NO. 1258

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES ROWDEN (Sponsor), RICHARDSON, HAAHR, FITZPATRICK,
JONES (50), TORPEY, BARNES, CIERPIOT AND DIEHL (Co-sponsors).

4072H.03I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 105.470, RSMo, and sections 105.473 and 130.044 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session and section 105.473 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, and section 130.044 as enacted by senate bill no. 1038, ninety-fourth general assembly, second regular session, and to enact in lieu thereof five new sections relating to ethics, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 105.470, RSMo, and sections 105.473 and 130.044 as truly agreed
2 to and finally passed by conference committee substitute no. 3 for house committee substitute
3 no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and section
4 105.473 as enacted by conference committee substitute for senate substitute for house committee
5 substitute for house bill no. 1900, ninety-third general assembly, second regular session, and
6 section 130.044 as enacted by senate bill no. 1038, ninety-fourth general assembly, second
7 regular session are repealed and five new sections enacted in lieu thereof, to be known as
8 sections 105.470, 105.471, 105.473, 105.1300, and 130.044, to read as follows:

105.470. As used in [section] **sections 105.471 and 105.473** , unless the context requires
2 otherwise, the following words and terms mean:

3 (1) "Elected local government official lobbyist", any natural person employed
4 specifically for the purpose of attempting to influence any action by a local government official

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended
to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

5 elected in a county, city, town, or village with an annual operating budget of over ten million
6 dollars;

7 (2) "Executive lobbyist", any natural person who acts for the purpose of attempting to
8 influence any action by the executive branch of government or by any elected or appointed
9 official, employee, department, division, agency or board or commission thereof and in
10 connection with such activity, meets the requirements of any one or more of the following:

11 (a) Is acting in the ordinary course of employment on behalf of or for the benefit of such
12 person's employer; or

13 (b) Is engaged for pay or for any valuable consideration for the purpose of performing
14 such activity; or

15 (c) Is designated to act as a lobbyist by any person, business entity, governmental entity,
16 religious organization, nonprofit corporation, association or other entity; or

17 (d) Makes total expenditures of fifty dollars or more during the twelve-month period
18 beginning January first and ending December thirty-first for the benefit of one or more public
19 officials or one or more employees of the executive branch of state government in connection
20 with such activity.

21 An "executive lobbyist" shall not include a member of the general assembly, an elected state
22 official, or any other person solely due to such person's participation in any of the following
23 activities:

24 a. Appearing or inquiring in regard to a complaint, citation, summons, adversary
25 proceeding, or contested case before a state board, commission, department, division or agency
26 of the executive branch of government or any elected or appointed officer or employee thereof;

27 b. Preparing, filing or inquiring, or responding to any audit, regarding any tax return, any
28 public document, permit or contract, any application for any permit or license or certificate, or
29 any document required or requested to be filed with the state or a political subdivision;

30 c. Selling of goods or services to be paid for by public funds, provided that such person
31 is attempting to influence only the person authorized to authorize or enter into a contract to
32 purchase the goods or services being offered for sale;

33 d. Participating in public hearings or public proceedings on rules, grants, or other
34 matters;

35 e. Responding to any request for information made by any public official or employee
36 of the executive branch of government;

37 f. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or
38 television broadcast, or similar news medium, whether print or electronic;

39 g. Acting within the scope of employment by the general assembly, or acting within the
40 scope of employment by the executive branch of government when acting with respect to the

41 department, division, board, commission, agency or elected state officer by which such person
42 is employed, or with respect to any duty or authority imposed by law to perform any action in
43 conjunction with any other public official or state employee; or

44 h. Testifying as a witness before a state board, commission or agency of the executive
45 branch;

46 (3) "Expenditure", any payment made or charge, expense, cost, debt or bill incurred; any
47 gift, honorarium or item of value bestowed including any food or beverage; any price, charge or
48 fee which is waived, forgiven, reduced or indefinitely delayed; any loan or debt which is
49 cancelled, reduced or otherwise forgiven; the transfer of any item with a reasonably discernible
50 cost or fair market value from one person to another or provision of any service or granting of
51 any opportunity for which a charge is customarily made, without charge or for a reduced charge;
52 except that the term "expenditure" shall not include the following:

53 (a) Any item, service or thing of value transferred to any person within the third degree
54 of consanguinity of the transferor which is unrelated to any activity of the transferor as a
55 lobbyist;

56 (b) Informational material such as books, reports, pamphlets, calendars or periodicals
57 informing a public official regarding such person's official duties, or souvenirs or mementos
58 valued at less than ten dollars;

59 (c) Contributions to the public official's campaign committee or candidate committee
60 which are reported pursuant to the provisions of chapter 130;

61 (d) Any loan made or other credit accommodations granted or other payments made by
62 any person or entity which extends credit or makes loan accommodations or such payments in
63 the regular ordinary scope and course of business, provided that such are extended, made or
64 granted in the ordinary course of such person's or entity's business to persons who are not public
65 officials;

66 (e) Any item, service or thing of de minimis value offered to the general public, whether
67 or not the recipient is a public official or a staff member, employee, spouse or dependent child
68 of a public official, and only if the grant of the item, service or thing of de minimis value is not
69 motivated in any way by the recipient's status as a public official or staff member, employee,
70 spouse or dependent child of a public official;

71 (f) The transfer of any item, provision of any service or granting of any opportunity with
72 a reasonably discernible cost or fair market value when such item, service or opportunity is
73 necessary for a public official or employee to perform his or her duty in his or her official
74 capacity, including but not limited to entrance fees to any sporting event, museum, or other
75 venue when the official or employee is participating in a ceremony, public presentation or
76 official meeting therein;

77 (g) Any payment, gift, compensation, fee, expenditure or anything of value which is
78 bestowed upon or given to any public official or a staff member, employee, spouse or dependent
79 child of a public official when it is compensation for employment or given as an employment
80 benefit and when such employment is in addition to their employment as a public official;

81 (4) "Judicial lobbyist", any natural person who acts for the purpose of attempting to
82 influence any purchasing decision by the judicial branch of government or by any elected or
83 appointed official or any employee thereof and in connection with such activity, meets the
84 requirements of any one or more of the following:

85 (a) Is acting in the ordinary course of employment which primary purpose is to influence
86 the judiciary in its purchasing decisions on a regular basis on behalf of or for the benefit of such
87 person's employer, except that this shall not apply to any person who engages in lobbying on an
88 occasional basis only and not as a regular pattern of conduct; or

89 (b) Is engaged for pay or for any valuable consideration for the purpose of performing
90 such activity; or

91 (c) Is designated to act as a lobbyist by any person, business entity, governmental entity,
92 religious organization, nonprofit corporation or association; or

93 (d) Makes total expenditures of fifty dollars or more during the twelve-month period
94 beginning January first and ending December thirty-first for the benefit of one or more public
95 officials or one or more employees of the judicial branch of state government in connection with
96 attempting to influence such purchasing decisions by the judiciary.

97 A "judicial lobbyist" shall not include a member of the general assembly, an elected state official,
98 or any other person solely due to such person's participation in any of the following activities:

99 a. Appearing or inquiring in regard to a complaint, citation, summons, adversary
100 proceeding, or contested case before a state court;

101 b. Participating in public hearings or public proceedings on rules, grants, or other
102 matters;

103 c. Responding to any request for information made by any judge or employee of the
104 judicial branch of government;

105 d. Preparing, distributing or publication of an editorial, a newsletter, newspaper,
106 magazine, radio or television broadcast, or similar news medium, whether print or electronic; or

107 e. Acting within the scope of employment by the general assembly, or acting within the
108 scope of employment by the executive branch of government when acting with respect to the
109 department, division, board, commission, agency or elected state officer by which such person
110 is employed, or with respect to any duty or authority imposed by law to perform any action in
111 conjunction with any other public official or state employee;

(5) "Legislative lobbyist", any natural person who acts for the purpose of attempting to influence the taking, passage, amendment, delay or defeat of any official action on any bill, resolution, amendment, nomination, appointment, report or any other action or any other matter pending or proposed in a legislative committee in either house of the general assembly, or in any matter which may be the subject of action by the general assembly and in connection with such activity, meets the requirements of any one or more of the following:

(a) Is acting in the ordinary course of employment, which primary purpose is to influence legislation on a regular basis, on behalf of or for the benefit of such person's employer, except that this shall not apply to any person who engages in lobbying on an occasional basis only and not as a regular pattern of conduct; or

(b) Is engaged for pay or for any valuable consideration for the purpose of performing such activity; or

(c) Is designated to act as a lobbyist by any person, business entity, governmental entity, religious organization, nonprofit corporation, association or other entity; or

(d) Makes total expenditures of fifty dollars or more during the twelve-month period beginning January first and ending December thirty-first for the benefit of one or more public officials or one or more employees of the legislative branch of state government in connection with such activity.

A "legislative lobbyist" shall include an attorney at law engaged in activities on behalf of any person unless excluded by any of the following exceptions. A "legislative lobbyist" shall not include any member of the general assembly, an elected state official, or any other person solely due to such person's participation in any of the following activities:

a. Responding to any request for information made by any public official or employee of the legislative branch of government;

b. Preparing or publication of an editorial, a newsletter, newspaper, magazine, radio or television broadcast, or similar news medium, whether print or electronic;

c. Acting within the scope of employment of the legislative branch of government when acting with respect to the general assembly or any member thereof;

d. Testifying as a witness before the general assembly or any committee thereof;

(6) "Lobbyist", any natural person defined as an executive lobbyist, judicial lobbyist, elected local government official lobbyist, or a legislative lobbyist;

(7) "Lobbyist principal", any person, business entity, governmental entity, religious organization, nonprofit corporation or association who employs, contracts for pay or otherwise compensates a lobbyist;

(8) "Public official", any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any agency

148 head, department director or division director of state government or any member of any state
149 board or commission and any designated decision-making public servant designated by persons
150 described in this subdivision.

**105.471. No lobbyist shall make any single expenditure in excess of fifty dollars on
2 be half of any public official. No lobbyist shall expend in excess of five hundred dollars
3 quarterly on behalf of any public official.**

105.473. 1. Each lobbyist shall, not later than January fifth of each year or five days
2 after beginning any activities as a lobbyist, file standardized registration forms, verified by a
3 written declaration that it is made under the penalties of perjury, along with a filing fee of ten
4 dollars, with the commission. The forms shall include the lobbyist's name and business address,
5 the name and address of all persons such lobbyist employs for lobbying purposes, the name and
6 address of each lobbyist principal by whom such lobbyist is employed or in whose interest such
7 lobbyist appears or works. The commission shall maintain files on all lobbyists' filings, which
8 shall be open to the public. Each lobbyist shall file an updating statement under oath within one
9 week of any addition, deletion, or change in the lobbyist's employment or representation. The
10 filing fee shall be deposited to the general revenue fund of the state. The lobbyist principal or
11 a lobbyist employing another person for lobbying purposes may notify the commission that a
12 judicial, executive or legislative lobbyist is no longer authorized to lobby for the principal or the
13 lobbyist and should be removed from the commission's files.

14 2. Each person shall, before giving testimony before any committee of the general
15 assembly, give to the secretary of such committee such person's name and address and the
16 identity of any lobbyist or organization, if any, on whose behalf such person appears. A person
17 who is not a lobbyist as defined in section 105.470 shall not be required to give such person's
18 address if the committee determines that the giving of such address would endanger the person's
19 physical health.

20 3. (1) During any period of time in which a lobbyist continues to act as an executive
21 lobbyist, judicial lobbyist, legislative lobbyist, or elected local government official lobbyist, the
22 lobbyist shall file with the commission on standardized forms prescribed by the commission
23 monthly reports which shall be due at the close of business on the tenth day of the following
24 month;

25 (2) Each report filed pursuant to this subsection shall include a statement, verified by a
26 written declaration that it is made under the penalties of perjury, setting forth the following:

27 (a) The total of all expenditures by the lobbyist or his or her lobbyist principals made on
28 behalf of all public officials, their staffs and employees, and their spouses and dependent
29 children, which expenditures shall be separated into at least the following categories by the
30 executive branch, judicial branch and legislative branch of government: printing and publication

31 expenses; media and other advertising expenses; travel; the time, venue, and nature of any
32 entertainment; honoraria; meals, food and beverages; and gifts;

33 (b) The total of all expenditures by the lobbyist or his or her lobbyist principals made on
34 behalf of all elected local government officials, their staffs and employees, and their spouses and
35 children. Such expenditures shall be separated into at least the following categories: printing
36 and publication expenses; media and other advertising expenses; travel; the time, venue, and
37 nature of any entertainment; honoraria; meals; food and beverages; and gifts;

38 (c) An itemized listing of the name of the recipient and the nature and amount of each
39 expenditure by the lobbyist or his or her lobbyist principal, including a service or anything of
40 value, for all expenditures made during any reporting period, paid or provided to or for a public
41 official or elected local government official, such official's staff, employees, spouse or dependent
42 children;

43 (d) The total of all expenditures made by a lobbyist or lobbyist principal for occasions
44 and the identity of the group invited, the date and description of the occasion and the amount of
45 the expenditure for each occasion when any of the following are invited in writing:

46 a. All members of the senate;

47 b. All members of the house of representatives;

48 c. All members of a joint committee of the general assembly or a standing committee of
49 either the house of representatives or senate; or

50 d. All members of a caucus of the majority party of the house of representatives, minority
51 party of the house of representatives, majority party of the senate, or minority party of the senate;

52 (e) Any expenditure made on behalf of a public official, an elected local government
53 official or such official's staff, employees, spouse or dependent children, if such expenditure is
54 solicited by such official, the official's staff, employees, or spouse or dependent children, from
55 the lobbyist or his or her lobbyist principals and the name of such person or persons, except any
56 expenditures made to any not-for-profit corporation, charitable, fraternal or civic organization
57 or other association formed to provide for good in the order of benevolence;

58 (f) A statement detailing any direct business relationship or association or partnership
59 the lobbyist has with any public official or elected local government official;

60 **(g) An itemized listing of the name of the recipient and the nature and amount of**
61 **each expenditure by the lobbyist or his or her lobbyist principal, including a service or**
62 **anything of value, for all expenditures made for a committee of the general assembly**
63 **meeting outside of the capitol building.**

64

65 The reports required by this subdivision shall cover the time periods since the filing of the last
66 report or since the lobbyist's employment or representation began, whichever is most recent.

67 4. No expenditure reported pursuant to this section shall include any amount expended
68 by a lobbyist or lobbyist principal on himself or herself. All expenditures disclosed pursuant to
69 this section shall be valued on the report at the actual amount of the payment made, or the
70 charge, expense, cost, or obligation, debt or bill incurred by the lobbyist or the person the
71 lobbyist represents. Whenever a lobbyist principal employs more than one lobbyist, expenditures
72 of the lobbyist principal shall not be reported by each lobbyist, but shall be reported by one of
73 such lobbyists. No expenditure shall be made on behalf of a state senator or state representative,
74 or such public official's staff, employees, spouse, or dependent children for travel or lodging
75 outside the state of Missouri unless such travel or lodging was approved prior to the date of the
76 expenditure by the administration and accounts committee of the house or the administration
77 committee of the senate.

78 5. Any lobbyist principal shall provide in a timely fashion whatever information is
79 reasonably requested by the lobbyist principal's lobbyist for use in filing the reports required by
80 this section.

81 6. All information required to be filed pursuant to the provisions of this section with the
82 commission shall be kept available by the executive director of the commission at all times open
83 to the public for inspection and copying for a reasonable fee for a period of five years from the
84 date when such information was filed.

85 7. No person shall knowingly employ any person who is required to register as a
86 registered lobbyist but is not registered pursuant to this section. Any person who knowingly
87 violates this subsection shall be subject to a civil penalty in an amount of not more than ten
88 thousand dollars for each violation. Such civil penalties shall be collected by action filed by the
89 commission.

90 8. No lobbyist shall knowingly omit, conceal, or falsify in any manner information
91 required pursuant to this section.

92 9. The prosecuting attorney of Cole County shall be reimbursed only out of funds
93 specifically appropriated by the general assembly for investigations and prosecutions for
94 violations of this section.

95 10. Any public official or other person whose name appears in any lobbyist report filed
96 pursuant to this section who contests the accuracy of the portion of the report applicable to such
97 person may petition the commission for an audit of such report and shall state in writing in such
98 petition the specific disagreement with the contents of such report. The commission shall
99 investigate such allegations in the manner described in section 105.959. If the commission
100 determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter
101 an order requiring filing of an amended or corrected report.

102 11. The commission shall provide a report listing the total spent by a lobbyist for the
103 month and year to any member or member-elect of the general assembly, judge or judicial
104 officer, or any other person holding an elective office of state government or any elected local
105 government official on or before the twentieth day of each month. For the purpose of providing
106 accurate information to the public, the commission shall not publish information in either written
107 or electronic form for ten working days after providing the report pursuant to this subsection.
108 The commission shall not release any portion of the lobbyist report if the accuracy of the report
109 has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked
110 "Under Review".

111 12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose
112 behalf the lobbyist acted, shall provide a general description of the proposed legislation or action
113 by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or
114 opposed. This information shall be supplied to the commission on March fifteenth and May
115 thirtieth of each year.

116 13. The provisions of this section shall supersede any contradicting ordinances or charter
117 provisions.

**105.1300. No member of the general assembly shall act or serve as a lobbyist,
2 register as a lobbyist, or solicit clients to represent as a lobbyist, as that term is defined in
3 section 105.470, until the expiration of two years after the conclusion of such member's
4 vacancy from such office.**

130.044. 1. All individuals and committees required to file disclosure reports under
2 section 130.041 shall electronically report any contribution by any single contributor which
3 exceeds five thousand dollars to the Missouri ethics commission within forty-eight hours of
4 receiving the contribution. [Such]

5 **2. Any individual currently holding office as a state representative or state senator,
6 or any candidate for such office, or such individual's campaign committee shall
7 electronically report any contribution exceeding five hundred dollars made by any
8 contributor to his or her campaign committee during the regular legislative session of the
9 general assembly, within seventy-two hours of receiving the contribution.**

10 **3. Any individual currently holding the office of governor, lieutenant governor,
11 treasurer, attorney general, secretary of state, auditor, or any candidate for such office or
12 such person's campaign committee shall electronically report any contribution exceeding
13 five hundred dollars made by any contributor to his or her campaign committee during the
14 regular legislative session or any time when legislation from the regular legislative session
15 awaits gubernatorial action, within seventy-two hours of receiving the contribution.**

16 **4. Reports required under this section** shall contain the same content required under
17 section 130.041 and shall be filed in accordance with the standards established by the
18 commission for electronic filing and other rules the commission may deem necessary to
19 promulgate for the effective administration of this section.

20 [2.] **5.** Any rule or portion of a rule, as that term is defined in section 536.010, that is
21 created under the authority delegated in this section shall become effective only if it complies
22 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
23 This section and chapter 536 are nonseverable and if any of the powers vested with the general
24 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
25 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
26 any rule proposed or adopted after August 28, 2008, shall be invalid and void.

 [105.473. 1. Each lobbyist shall, not later than January fifth of each year
2 or five days after beginning any activities as a lobbyist, file standardized
3 registration forms, verified by a written declaration that it is made under the
4 penalties of perjury, along with a filing fee of ten dollars, with the commission.
5 The forms shall include the lobbyist's name and business address, the name and
6 address of all persons such lobbyist employs for lobbying purposes, the name and
7 address of each lobbyist principal by whom such lobbyist is employed or in
8 whose interest such lobbyist appears or works. The commission shall maintain
9 files on all lobbyists' filings, which shall be open to the public. Each lobbyist
10 shall file an updating statement under oath within one week of any addition,
11 deletion, or change in the lobbyist's employment or representation. The filing fee
12 shall be deposited to the general revenue fund of the state. The lobbyist principal
13 or a lobbyist employing another person for lobbying purposes may notify the
14 commission that a judicial, executive or legislative lobbyist is no longer
15 authorized to lobby for the principal or the lobbyist and should be removed from
16 the commission's files.

17 2. Each person shall, before giving testimony before any committee of
18 the general assembly, give to the secretary of such committee such person's name
19 and address and the identity of any lobbyist or organization, if any, on whose
20 behalf such person appears. A person who is not a lobbyist as defined in section
21 105.470 shall not be required to give such person's address if the committee
22 determines that the giving of such address would endanger the person's physical
23 health.

24 3. (1) During any period of time in which a lobbyist continues to act as
25 an executive lobbyist, judicial lobbyist, legislative lobbyist, or elected local
26 government official lobbyist, the lobbyist shall file with the commission on
27 standardized forms prescribed by the commission monthly reports which shall be
28 due at the close of business on the tenth day of the following month;

29 (2) Each report filed pursuant to this subsection shall include a statement,
30 verified by a written declaration that it is made under the penalties of perjury,
31 setting forth the following:

32 (a) The total of all expenditures by the lobbyist or his or her lobbyist
33 principals made on behalf of all public officials, their staffs and employees, and
34 their spouses and dependent children, which expenditures shall be separated into
35 at least the following categories by the executive branch, judicial branch and
36 legislative branch of government: printing and publication expenses; media and
37 other advertising expenses; travel; the time, venue, and nature of any
38 entertainment; honoraria; meals, food and beverages; and gifts;

39 (b) The total of all expenditures by the lobbyist or his or her lobbyist
40 principals made on behalf of all elected local government officials, their staffs
41 and employees, and their spouses and children. Such expenditures shall be
42 separated into at least the following categories: printing and publication
43 expenses; media and other advertising expenses; travel; the time, venue, and
44 nature of any entertainment; honoraria; meals; food and beverages; and gifts;

45 (c) An itemized listing of the name of the recipient and the nature and
46 amount of each expenditure by the lobbyist or his or her lobbyist principal,
47 including a service or anything of value, for all expenditures made during any
48 reporting period, paid or provided to or for a public official or elected local
49 government official, such official's staff, employees, spouse or dependent
50 children;

51 (d) The total of all expenditures made by a lobbyist or lobbyist principal
52 for occasions and the identity of the group invited, the date, location, and
53 description of the occasion and the amount of the expenditure for each occasion
54 when any of the following are invited in writing:

55 a. All members of the senate, which may or may not include senate staff
56 and employees under the direct supervision of a state senator;

57 b. All members of the house of representatives, which may or may not
58 include house staff and employees under the direct supervision of a state
59 representative;

60 c. All members of a joint committee of the general assembly or a
61 standing committee of either the house of representatives or senate, which may
62 or may not include joint and standing committee staff;

63 d. All members of a caucus of the majority party of the house of
64 representatives, minority party of the house of representatives, majority party of
65 the senate, or minority party of the senate;

66 e. All statewide officials, which may or may not include the staff and
67 employees under the direct supervision of the statewide official;

68 (e) Any expenditure made on behalf of a public official, an elected local
69 government official or such official's staff, employees, spouse or dependent
70 children, if such expenditure is solicited by such official, the official's staff,
71 employees, or spouse or dependent children, from the lobbyist or his or her

72 lobbyist principals and the name of such person or persons, except any
73 expenditures made to any not-for-profit corporation, charitable, fraternal or civic
74 organization or other association formed to provide for good in the order of
75 benevolence and except for any expenditure reported under paragraph (d) of this
76 subdivision;

77 (f) A statement detailing any direct business relationship or association
78 or partnership the lobbyist has with any public official or elected local
79 government official. The reports required by this subdivision shall cover the time
80 periods since the filing of the last report or since the lobbyist's employment or
81 representation began, whichever is most recent.

82 4. No expenditure reported pursuant to this section shall include any
83 amount expended by a lobbyist or lobbyist principal on himself or herself. All
84 expenditures disclosed pursuant to this section shall be valued on the report at the
85 actual amount of the payment made, or the charge, expense, cost, or obligation,
86 debt or bill incurred by the lobbyist or the person the lobbyist represents.
87 Whenever a lobbyist principal employs more than one lobbyist, expenditures of
88 the lobbyist principal shall not be reported by each lobbyist, but shall be reported
89 by one of such lobbyists. No expenditure shall be made on behalf of a state
90 senator or state representative, or such public official's staff, employees, spouse,
91 or dependent children for travel or lodging outside the state of Missouri unless
92 such travel or lodging was approved prior to the date of the expenditure by the
93 administration and accounts committee of the house or the administration
94 committee of the senate.

95 5. Any lobbyist principal shall provide in a timely fashion whatever
96 information is reasonably requested by the lobbyist principal's lobbyist for use in
97 filing the reports required by this section.

98 6. All information required to be filed pursuant to the provisions of this
99 section with the commission shall be kept available by the executive director of
100 the commission at all times open to the public for inspection and copying for a
101 reasonable fee for a period of five years from the date when such information was
102 filed.

103 7. No person shall knowingly employ any person who is required to
104 register as a registered lobbyist but is not registered pursuant to this section. Any
105 person who knowingly violates this subsection shall be subject to a civil penalty
106 in an amount of not more than ten thousand dollars for each violation. Such civil
107 penalties shall be collected by action filed by the commission.

108 8. Any lobbyist found to knowingly omit, conceal, or falsify in any
109 manner information required pursuant to this section shall be guilty of a class A
110 misdemeanor.

111 9. The prosecuting attorney of Cole County shall be reimbursed only out
112 of funds specifically appropriated by the general assembly for investigations and
113 prosecutions for violations of this section.

10. Any public official or other person whose name appears in any lobbyist report filed pursuant to this section who contests the accuracy of the portion of the report applicable to such person may petition the commission for an audit of such report and shall state in writing in such petition the specific disagreement with the contents of such report. The commission shall investigate such allegations in the manner described in section 105.959. If the commission determines that the contents of such report are incorrect, incomplete or erroneous, it shall enter an order requiring filing of an amended or corrected report.

11. The commission shall provide a report listing the total spent by a lobbyist for the month and year to any member or member-elect of the general assembly, judge or judicial officer, or any other person holding an elective office of state government or any elected local government official on or before the twentieth day of each month. For the purpose of providing accurate information to the public, the commission shall not publish information in either written or electronic form for ten working days after providing the report pursuant to this subsection. The commission shall not release any portion of the lobbyist report if the accuracy of the report has been questioned pursuant to subsection 10 of this section unless it is conspicuously marked "Under Review".

12. Each lobbyist or lobbyist principal by whom the lobbyist was employed, or in whose behalf the lobbyist acted, shall provide a general description of the proposed legislation or action by the executive branch or judicial branch which the lobbyist or lobbyist principal supported or opposed. This information shall be supplied to the commission on March fifteenth and May thirtieth of each year.

13. The provisions of this section shall supersede any contradicting ordinances or charter provisions.]

[130.044. 1. All individuals and committees required to file disclosure reports under section 130.041 shall electronically report any contribution by any single contributor which exceeds five thousand dollars to the Missouri ethics commission within forty-eight hours of receiving the contribution.

2. Any individual currently holding office as a state representative, state senator, or any candidate for such office or such individual's campaign committee shall electronically report any contribution exceeding five hundred dollars made by any contributor to his or her campaign committee during the regular legislative session of the general assembly, within forty-eight hours of receiving the contribution.

3. Any individual currently holding office as the governor, lieutenant governor, treasurer, attorney general, secretary of state or auditor or any candidate for such office or such person's campaign committee shall electronically report any contribution exceeding five hundred dollars made by any contributor to his or her campaign committee during the regular legislative session or any time

16 when legislation from the regular legislative session awaits gubernatorial action,
17 within forty-eight hours of receiving the contribution.

18 4. Reports required under this section shall contain the same content
19 required under section 130.041 and shall be filed in accordance with the
20 standards established by the commission for electronic filing and other rules the
21 commission may deem necessary to promulgate for the effective administration
22 of this section.

23 5. Any rule or portion of a rule, as that term is defined in section 536.010,
24 that is created under the authority delegated in this section shall become effective
25 only if it complies with and is subject to all of the provisions of chapter 536 and,
26 if applicable, section 536.028. This section and chapter 536 are nonseverable and
27 if any of the powers vested with the general assembly pursuant to chapter 536 to
28 review, to delay the effective date, or to disapprove and annul a rule are
29 subsequently held unconstitutional, then the grant of rulemaking authority and
30 any rule proposed or adopted after August 28, 2008, shall be invalid and void.]

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